

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SCOTT JOHNSON,
Plaintiff,
vs.
DANNY B. LUONG, ET AL.,
Defendants.

CASE No. 20-cv-00121-YGR

**ORDER GRANTING UNOPPOSED MOTION
TO DISMISS WITHOUT LEAVE TO AMEND;
DISMISSING ACTION**

Re: Dkt. No. 13

Plaintiff Scott Johnson brings the instant action alleging violations of the federal Americans with Disabilities Act (“ADA”) and California’s Unruh Civil Rights Act based upon architectural barriers to access for persons with disabilities at defendants’ printing business in Milpitas, California. Defendants Danny B. Luong and Diana Wong move pursuant to FRCP 12(b)(1), 12(h)(3), and 28 U.S.C. §1337(c) for an order dismissing plaintiff’s claims for lack of subject matter jurisdiction. (Dkt. No. 13.)

The motion was filed February 10, 2020, and under the Civil Local Rules of this District, plaintiff’s opposition was due February 24, 2020. Civ. L. R. 7-3(a). On March 2, 2020, defendants filed a reply pointing out the lack of opposition to the motion on March 2, 2020. (Dkt. No. 14.) On March 24, 2020, the Court issued its order vacating the hearing and giving plaintiff until April 17, 2020 to file an opposition or else the motion would be granted and the action dismissed. (Dkt. No. 16.) No opposition or other response to the motion has been filed by plaintiff.

The Court therefore **GRANTS** the unopposed motion to dismiss **WITHOUT LEAVE TO AMEND**.

This terminates Docket No. 13.

This action is **DISMISSED** and the Clerk is directed to close the file.

IT IS SO ORDERED.

Dated: May 22, 2020


YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT JUDGE